

06-27-01

Page 1 of 2

Customer Number: 000959

DIVISIONAL-CONTINUATION APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b) (former Rule 1.60)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/163,269	PRIOR APPLICATION FILING DATE: SEPTEMBER 29, 1998
BBI-013C2CN2	CLASS:	SUBCLASS:	EXAMINER: A. Mehta	ART UNIT: 1638

COMMISSIONER FOR PATENTS
 BOX PATENT APPLICATION
 WASHINGTON, DC 20231

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: June 25, 2001Mailing Label Number: EL 589 739 258 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Larry Taylor
 Name of Person Mailing Paper

Larry Taylor
 Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/163,269 filed on September 29, 1998, of Hermann Bujard, Manfred Gossen, Jochen G. Salfeld and Jeffrey W. Yoss entitled ANIMALS TRANSGENIC FOR A TETRACYCLINE-CONTROLLED TRANSCRIPTIONAL ACTIVATOR.

1. ☒ Enclosed is a copy of the latest inventor signed application, including the oath or declaration as originally filed. The copy of the enclosed papers is as follows:
- ☒ 68 page(s) of specification (including sequence listing)
 - ☒ 2 page(s) of claims
 - ☒ 1 page(s) of abstract
 - ☒ 32 sheet(s) of drawings (1A-14) (formal)
 - ☒ 10 page(s) of declaration and power of attorney.
2. ☒ The filing fee is calculated below:

A

OTHER THAN

ENTITY

SMALL ENTITY

SMALL

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 12	MINUS	** 20	= 0
INDEP	* 2	MINUS	*** 3	= 0

☐ MULTIPLE DEPENDENT CLAIMS

RATE	FEE
x 11 =	\$0.00
x 41 =	\$0.00
+135 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

OR

RATE	FEE
x 22 =	\$0
x 82 =	\$0
+ 270 =	\$0
BASIC FEE	\$710.00
TOTAL	\$710.00

OR

3. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
4. ☒ **FILING FEES ARE NOT BEING PAID AT THIS TIME.**
5. ☒ Cancel in this application original claims 2-22 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

06/25/01
 10961 U.S. PTO

09/89227
 10961 U.S. PTO
 06/25/01

RECEIVED
 09/27/01
 COMPUTER AVAILABLE FOR
 10/1/01

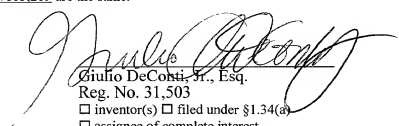
6. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application and have been included in the calculation of the filing fee.)
7. ☒ The prior application is assigned of record to BASF Aktiengesellschaft and Knoll Aktiengesellschaft, having a subsidiary BASF Bioresearch Corporation.
8. ☒ The power of attorney in the prior application is to Giulio DeConti, Jr., et al. of Lahive & Cockfield, LLP.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ A new power has been executed and is attached.
9. ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio DeConti, Jr., Esq. at Customer Number: **000959** whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

10. ☒ Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.
11. ☒ Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. 09/163,269 filed on September 29, 1998. Please use the computer readable form of application serial no. 09/163,269 in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. 09/163,269 are the same.

June 25, 2001
Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400


Giulio DeConti, Jr., Esq.
Reg. No. 31,503
☐ inventor(s) ☐ filed under §1.34(a)
☐ assignee of complete interest
☒ attorney or agent of record